

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

KATHLEEN WEIAND,

Plaintiff,

-vs-

Case No. 15-C-1203

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

DECISION AND ORDER

Pro se Plaintiff Kathleen Weiand (“Weiand ”) seeks leave to proceed *in forma pauperis* (“IFP”) (ECF No. 2) on her appeal from the denial of her applications for social security disability benefits and supplemental security income. In order to authorize a litigant to proceed IFP, the Court must make two determinations: first, whether the litigant is unable to pay the costs of commencing this action; and second, whether the action is frivolous or malicious. 28 U.S.C. §§ 1915(a) and (e)(2)(B)(i). The Court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2).

By her petition and affidavit to proceed IFP, Weiand avers that she is single and has no persons whom she is legally responsible to support.

Weiland receives \$184 in public assistance each month. She owns a 1992 Buick Century worth \$100, and she has no checking or savings account or other valuable property. She has no income and is assisted by friends who provide her with crisis assistance. She states she may soon become homeless.

Based on the information provided, Weiland has satisfied the requirements of 28 U.S.C. § 1915(a) by demonstrating that she is unable to pay the \$350 filing fee for this action. Furthermore, Weiland's Complaint states arguable claims for relief. Accordingly, Weiland's petition for leave to proceed IFP is granted.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS
HEREBY ORDERED THAT:**

Weiland's petition for leave to proceed IFP (ECF No. 2) is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 21st day of October, 2015.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge